IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8365 of 2007(U)

PETITIONER:

1. RADHAKRISHNAN C.R., S/O. RAMAKRISHNA PILLAI, KOCHAMPARAMBIL HOUSE, KUZHITHOLU P.O., IDUKKI. (UPPER DIVISION CLERK, REGIONAL TRANSPORT OFFICE, ERNAKULAM.)

2. AJMALKHAN T.K., S/O. V.K.KOCHUMUHAMMED, MOOTHEDATHU HOUSE, KANJIRAMATTOM P.O., ERNAKULAM. (LOWER DIVISION CLERK, REGIONAL TRANSPORT OFFICE, ERNAKULAM.)

BY ADV. SRI.S.SUBHASH CHAND
SRI.C.P.PEETHAMBARAN

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF TRANSPORT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE TRANSPORT COMMISSIONER, OFFICE OF THE TRANSPORT COMMISSIONER, THIRUVANANTHAPURAM.

3. THE TRANSPORT COMMISSIONER (DEPUTY), OFFICE OF THE TRANSPORT COMMISSIONER (DEPUTY), ERNAKULAM.

4. THE REGIONAL TRANSPORT OFFICER, OFFICE OF THE REGIONAL TRANSPORT OFFICER,ERNAKULAM.

5. THE REGIONAL TRANSPORT OFFICER, OFFICE OF THE REGIONAL TRANSPORT OFFICER,PALAKKAD.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.8365 of 2007

Dated this the 13th day of March, 2007

JUDGMENT

The petitioners are ministerial employees working in the Motor Vehicles Department. The first petitioner is Upper Division Clerk and the second petitioner is Lower Division Clerk. It is contended that they are eligible to be considered for appointment by transfer to the post of Assistant Motor Vehicle Inspector. This contention is taken based on the provisions contained in the relevant special rules. The petitioners had, in fact, filed applications before the second respondent requesting to consider their case for transfer appointment. The application filed by the first petitioner was forwarded by the Regional Transport Officer as per Ext.P1 covering letter dated 28.10.2006 and a similar application filed by the second petitioner was forwarded by the Regional Transport Officer Palakkad as per Ext.P2 covering letter dated 28.10.2006. Having not received any reply to those

applications, the petitioners filed Ext.P3 joint representation before the second respondent requesting to consider their case for transfer appointment to the post of Assistant Motor Vehicle Inspectors, as early as possible. Since the applications filed by the petitioners did not evoke any response, this writ petition has been filed.

2. One of the reliefs prayed for by the petitioners is for a direction to the second respondent to consider and pass final orders on Ext.P3 representation.

3. I have heard the Government Pleader for the respondents.

4. The limited reliefs prayed for by the petitioners are only to be granted. Hence, the writ petition is disposed of directing the second respondent to consider Ext.P3 representation in the light of the particulars furnished by the petitioners in their applications referred to earlier, pass orders in accordance with law and communicate the same to the petitioners within one month from the date of receipt of a copy of the judgment. The petitioners are free to produce a copy of the judgment along with a copy of the

writ petition before the second respondent for information and action.

K.K.DENESAN, JUDGE

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